

Article - Transportation

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§24–204.

(a) If the State Highway Administration or a local authority finds that a highway under its jurisdiction or maintenance is in danger of serious damage from deterioration, rain, snow, or any other condition, the State Highway Administration or, by a resolution adopted by its governing body, the local authority may:

(1) Prohibit the operation of vehicles on the highway;

(2) Restrict the weight of vehicles permitted to drive on the highway;

or

(3) Reduce the maximum speed limit for vehicles operating on the highway.

(b) (1) In this subsection, “vehicles supplying emergency service” means any vehicle designated by the local authority as a vehicle supplying emergency service, such as supplying fuel, fuel/oil, or milk.

(2) Notwithstanding any resolution adopted by a local authority under subsection (a) of this section, vehicles supplying emergency service may use the highway if written permission is obtained from the local authority.

(c) A restriction imposed by the State Highway Administration or a local authority under this section may not restrict the right to use a highway for:

(1) More than 60 consecutive days; or

(2) More than 90 days during any one calendar year.

(d) (1) If the State Highway Administration or a local authority imposes a restriction under this section, it shall place and maintain signs at each end of that part of the highway affected by the restriction. The signs shall state the restriction imposed on the use of the highway.

(2) A restriction adopted under this section is not effective unless the required signs are posted.

(e) (1) Unless the person has a written permit from the State Highway Administration or the appropriate local authority, a person, whether the owner of the

vehicle, the person having charge and control over the vehicle, or an employee or agent of either, may not drive or cause to be driven any vehicle on any highway in violation of any restriction imposed under this section.

(2) In addition to any other penalty provided by law, any owner or person in control of a vehicle that is in violation of any restriction imposed under this section is liable to the State Highway Administration or the appropriate local authority for all damages sustained by a highway as a result of the violation.

(3) In the trial of a person charged with a violation of this section, oral testimony of the existence and contents of signs posted as required by this section is prima facie evidence of the validity of the restrictions stated on them.

(4) This section applies regardless of any public general or public local law to the contrary.

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